HONOURABLE SRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.Y. SOMAYAJULU

WRIT PETITION No.23422 OF 2005

Between:

Nadukuditi Mohana Rao, S/o. Suryanarayana,

aged 53 years, Occ: Cultivator/Organiser of Rythumitra Sangam R/o. Jamperakota Village,

Palakonda Mandal, Srikakulam District.

.. Petitioner

AND

The Chief Engineer, Minor Irrigation,

Chief Engineering Office, Erramanzil,

Hyderabad & 3 others

.. Respondents

::ORDER::

Counsel for the petitioner : Mr. A. Ravi Shankar

Counsel for the Respondents : Advocate General, G.P. for Irrigation

15th December, 2005

-

-

-

-

HCJ & CYSJ

Per G.S. Singhvi, CJ

This petition has been filed in public interest for issuance of a writ in the nature of *Mandamus* to the respondents to complete reservoir across Peddagadda, near Jamperakota village, Srikakulam District.

It appears from the record that the project, which was conceived prior to 1988 and the execution of which commenced some time in October 1988, got bogged down because of the repeated cancellation and revival of the contract awarded to Mr. C. Raghava Reddy. It is also borne out from the record that for almost three years, the efforts made by the State Government to allot contract to another person were stalled due to the interim order dated
29-01-2003 passed by this Court in W.P.M.P. No.2693 of 2003 in W.P. No.18150 of 2003.

Learned Advocate General says that in view of the order passed today i.e., 15-12-205 in W.P. No.18150 of 2003 by which the writ petition of the contractor has been dismissed, the State Government will take immediate steps for award of fresh contract for construction of the reservoir and will complete the construction work within a period of 24 months from today.

In our opinion, the time schedule given by the learned Advocate General for completion of the project is reasonable and no other direction is required to be given by the Court.

With the above observations, the writ petition is disposed of as infructuous. However, liberty is given to the petitioner to seek its revival, if the project is not completed within a period of 24 months in terms of the undertaking given on behalf of the State Government.

G.S. SINGHVI, C.J.

Date:15-12-2005

C.Y. SOMAYAJULU, J

PV